

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 4881

IN THE MATTER OF:

Served June 24, 1996

Investigation of Failure to Pay)
Annual Fee and Order to Show Cause)
Why Civil Forfeiture Should Not be)
Assessed and Why Operating Authority)
Should Not be Suspended or Revoked,)
Directed to: B&W TRANSPORTATION,)
INCORPORATED; WMATC No. 218)

Case No. MP-96-25

Investigation of Failure to File)
Annual Report and Order to Show)
Cause Why Civil Forfeiture Should)
Not be Assessed and Why Operating)
Authority Should Not be Suspended)
or Revoked, Directed to: B&W)
TRANSPORTATION, INCORPORATED;)
WMATC No. 218)

Case No. MP-96-31

These proceedings were initiated in Orders Nos. 4810 and 4811, served April 8, 1996, as a result of respondent's failure to timely pay a \$100 annual fee for 1996 and file an annual report for 1995. Order No. 4810 granted respondent thirty days to pay the annual fee and a \$100 civil forfeiture. Order No. 4811 granted respondent thirty days to file the annual report and either pay a civil forfeiture of \$100 or show cause why a civil forfeiture should not be assessed. The orders further provided that failure to timely comply would result automatically in suspension of respondent's operating authority.

Respondent failed to timely comply with Orders Nos. 4810 and 4811, thus triggering the automatic suspension of respondent's operating authority at 12:01 a.m., May 9, 1996.

Each order further provided that upon automatic suspension respondent would have thirty days to show cause why its certificate of authority should not be revoked for failure to comply with the requirements of the order. To date, no response has been forthcoming. A carrier's failure to pay an annual fee and file an annual report is grounds for revocation.¹

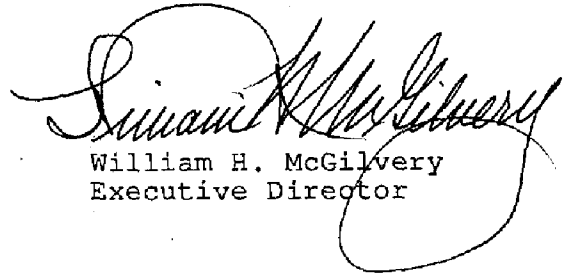
Respondent's certificate of authority shall be revoked pursuant to Article XI, Section 10(c), of the Compact for respondent's willful failure to comply with Articles IV and XII of the Compact, Regulations Nos. 60 and 67, Order No. 3601, and the orders in these proceedings.

¹ In re Bill Appell, t/a Personal Pace Tours/Tech Tours Wash.,
No. MP-95-40, Order No. 4618 (June 26, 1995).

THEREFORE, IT IS ORDERED:

1. That Certificate of Authority No. 218 is hereby revoked.
2. That respondent is hereby directed to remove from its vehicle(s) the identification placed thereon pursuant to Commission Regulation No. 61.
3. That respondent is hereby directed to file within 30 days from the date of this order a notarized affidavit verifying that respondent has complied with the preceding paragraph.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS ALEXANDER AND LIGON:



William H. McGilvery
Executive Director